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Report of the Working Group on the Universal Periodic Review*

Syrian Arab Republic

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

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Recommendations from the second cycle of the universal periodic review following the examination of the second national report of the Syrian Arab Republic

1. The Syrian Arab Republic, which submitted its second report under the universal periodic review mechanism and, with great frankness and transparency, participated in the discussion of that report on 31 October 2016, believes in the importance of interaction with objective, transparent and non-discriminatory human rights mechanisms. At the same time, it remains committed to dialogue and cooperation as a way to promote human rights, in accordance with the Charter of the United Nations and the human rights instruments to which it has acceded. The Syrian Arab Republic wishes to reiterate that the promotion of peace, security and national and international prosperity, while respecting and protecting human rights and fundamental freedoms, will be achieved through compliance with the Charter of the United Nations, international law and international human rights treaties, not by pursuing aggressive policies against other States, interfering in their internal affairs, financing, protecting and arming terrorists or threatening to attack other peoples under the pretext of promoting and protecting human rights. On all occasions, the Syrian Arab Republic has expressed its firm commitment to and respect for international human rights treaties and, in order to conclude the process of interactive dialogue within the context of the universal periodic review, the current document aims to express the country's position vis-à-vis the remaining recommendations and to provide complementary responses to some of the questions raised.

2. During the discussion of its report, the Government of the Syrian Arab Republic highlighted the root causes of the current crisis and the challenges it brings. It outlined the efforts it is making to address those challenges and the role that terrorism is playing in depriving the Syrian people of their human rights. That terrorism that is supported by Arab, regional and world Governments, which provide the armed terrorist groups — first among them Islamic State in Iraq and the Levant (ISIL) and Nusrah Front — with money, arms, ammunition and equipment. Their complicity with such groups includes media support, which misleads public opinion also by inventing illicit definitions such as "moderate armed opposition". This clearly violates international law and the Charter of the United Nations, which prohibit interference in the internal affairs of States, and exploits the human rights of the Syrian people as a cover for political agendas.

3. The Syrian Arab Republic rejected recommendations from certain States because they were not seeking to promote and protect human rights so much as to accuse and condemn, thereby contradicting the principles of the universal periodic review process and the Charter of the United Nations, which emphasize recourse to dialogue and enjoin non-interference in the internal affairs of independent sovereign States.

4. On the other hand, the Syrian Arab Republic welcomed the constructive observations and recommendations made by other States because they were seeking to promote and protect human rights through international dialogue and cooperation. Those recommendations were made on the basis of the Charter of the United Nations and recognized the legitimate right of the Government of the Syrian Arab Republic to counter terrorism and to fight to maintain the national unity of the Syrian people and the integrity and unity of national territory, which are threatened by a terrorist war being fuelled from abroad.

Subject	*State of implementation or acceptance*
Recommendations partly accepted or under consideration	
109.3 and 109.4	National committees in the Syrian Arab Republic are studying the possibility of ratifying optional protocols to international treaties, except as regards the death penalty.

Subject	*State of implementation or acceptance*
Recommendations accepted and in the course of being implemented	
109.5 to 109.7	National committees in the Syrian Arab Republic are studying the possibility of ratifying optional protocols to international treaties. The relevant authorities are currently taking the legal steps necessary to withdraw the reservation to article 2 of the Convention on the Elimination of All Forms of Discrimination against Women.
109.8 and 109.9	A committee has been formed to study the possibility of ratifying the treaties and its work is at an advanced stage.
109.14	The national committee for amending the Criminal Code has considered repealing the law on mitigated penalties.
109.27 to 109.29	The Syrian Arab Republic has begun preparations for the creation of a national human rights institution in accordance with the Paris Principles. The necessary studies have been completed and the institution is in the process of being established.
109.30	Through the work of the Ministry for Social Affairs and Labour and of civil society institutions, the Syrian Arab Republic is continuing its efforts to promote and protect the rights of all women and girls.
109.19, 109.63 to 106.65 and 109.67 to 109.77	The Government of the Syrian Arab Republic wishes to state that the way out of the current crisis will be through a political solution based on an inter-Syrian and Syrian-led dialogue, without external interference or prior conditions. The Government, which is currently combatting terrorism in order to achieve that political solution, wishes to make it clear that success in the political process and tangible improvements in the humanitarian situation will chiefly depend on a serious international and regional commitment to combatting terrorism in the Syrian Arab Republic, without any ulterior political motives. At the same time, the unilateral coercive economic measures imposed upon the Syrian people without any legal or moral justification must be lifted immediately. The successful outcome of the Astana Conference, held on 23 and 24 January 2017, was largely due to the constructive role played by the Syrian Government. The Government of the Syrian Arab Republic reiterates its request to the Security Council to compel those States that support and finance armed terrorist groups to stop doing so, in accordance with Security Council resolutions aimed at combating terrorism and cutting off sources of terrorism funding, in particular resolution 2170 (2014), 2178 (2014), 2199 (2015) and 2253 (2015). Compliance with and implementation of those resolutions is the key to resolving the situation in the Syrian Arab Republic and to ensuring hitherto unprecedented of humanitarian aid to those in need.
109.82	The Syrian Government often cooperates with special procedures. It is currently exchanging correspondence with the Working Group and is looking into procedures for receiving mandate holders on a case-by-case basis, depending upon prevailing circumstances.
109.90	As stated in paragraphs 39 and 40 of the national report, studies are currently under way on the amendment of the law in question to bring it into line with article 33 of the Constitution.
109.91 and 109.92	The Syrian Arab Republic realizes that loopholes in personal status law do exist, and it is seeking to address that issue through a legal review process involving official institutions and civil society organizations. The amendments are currently being introduced in a manner that does not conflict with Islamic sharia.

Subject	*State of implementation or acceptance*
109.16, 109.93 and 109.94	A bill on the rights of children has been drafted. Other provisions related to the protection of the rights of children are mentioned in the national report.
109.146 to 109.149, 109.154 and 109.189	The authorities in Syria are making efforts to ensure that persons implicated in such acts are brought to justice. It should be emphasized that this is a national issue in which regard reference should be made to paragraph 85 of the report of the Syrian Arabic Republic submitted under the second cycle of the universal periodic review.
109.152	In Syrian law, perpetrators of the crime of abduction are punished under Act 20 of 2013.
109.176	This matter has been addressed through amendments to relevant articles of the Criminal Code.
109.179	The rights of women are protected under the Constitution. Moreover, the Syrian Government believes that, by successfully combating terrorism, it will restore to Syrian women the rights they enjoyed over many decades. The national report of the Syrian Arab Republic, particularly paragraph 47, goes into some detail about the role women play in political life and their participation in the peace process and national reconciliation.
109.180 and 109.181	This matter will be addressed in a children's bill, which will also cover the issue of early and forced marriages in refugee camps in neighbouring States.
109.182	The Syrian Arab Republic is making immense efforts to provide free education and to find alternative solutions, in cooperation with international organizations, and to rebuild schools destroyed by terrorist activities.
109.183 to 109.187	Replies given in the national report.
Recommendations accepted and the implementation of which is ongoing	
109.1	The Syrian Arab Republic is a party to eight core human rights treaties.
109.15, 109.17 and 109.18	Violence in all forms, including domestic violence, is criminalized under the Criminal Code and penalized according to degree.
109.20	The Syrian Arab Republic abides by all ceasefire agreements, in order to promote the human rights of the Syrian people. Recently, the Syrian Government has abided by the agreement to end hostilities that came into force on 30 December 2016. However, armed terrorist groups have continued to violate that agreement with suicide attacks in a number of locations, including Damascus, and attacks against civilians in other cities and governorates using mortars and other weapons.
109.21 to 109.23	These recommendations should be addressed to the States and organizations that impose the measures against the Government and people of the Syrian Arab Republic. The response to recommendation 23, which concerns an assessment of the effects of unilateral coercive measures, must be divided into two parts: • Member States, particularly those responsible for the imposition of these illegitimate measures, must respect calls from the United Nations to put an immediate stop to such practices in view of their negative impact on standards of living, human rights and social development in the countries affected. • The countries affected must set up national mechanisms to monitor and report on the effects such measures have on human rights and development.

Subject	*State of implementation or acceptance*
	An international mechanism needs to be created to monitor this serious issue and its effects, and to rally international support to prevent certain States from imposing such measures against other States in a manner that violates international law and resolutions and the Charter of the United Nations.
109.24 and 109.25	
109.26	This is being put into effect.
109.31 and 109.32	Please see paragraphs 80 to 82 of the national report concerning the ceasefire in Aleppo: The Syrian Government has, in coordination with its allies, taken a series of measures that are consistent with international humanitarian law to address the humanitarian situation in the governorate of Aleppo. It has sought to ensure the safe evacuation of civilizations from neighbourhoods in eastern Aleppo and has called upon the armed terrorist groups to depose their weapons or to withdraw in order to avoid harming civilians and causing damage to public and private property. To that end, certain crossing points have been designated, facilities provided and guarantees given. However, the terrorist groups have openly used civilians as human shields, prevented them from leaving and used small-arms and rocket fire against anyone who sought to depart for areas controlled by the Government. While ignoring the demands and needs of the people, the armed terrorist groups have continued to target neighbourhoods in the west of the city causing thousands of deaths and injuries. This has left the Syrian Government with no choice but to free its people, regain its territory, stand up to terrorism, liberate its citizens in the eastern neighbourhoods of Aleppo and drive the terrorists out.
109.33, 109.34 and 109.36	
109.35, 109.66 and 109.78	
109.37	The Government of the Syrian Arab Republic welcomed a delegation from the internal United Nations board of inquiry into the attack against a humanitarian aid convoy at Auram al-Kubra on 19 September 2016. The Government provided the clarifications and explanations requested and submitted evidence regarding the terrorist attack against the convoy. However, the board of inquiry used its report to make a number of untrue allegations and false accusations, which are completely without foundation. It then drew its conclusions on the basis of those allegations and suppositions, even appointing itself to defend certain parties and to uphold their innocence of any involvement in the attack, which is beyond the mandate of the board of inquiry.
109.101 and 109.103	The Government of the Syrian Arab Republic is assuming its responsibility to protect its citizens although it has reservations about the description of the situation in the country as an armed conflict.
109.84, 109.120 and 109.190	
109.191 to 109.194	The response to these recommendations, which have already been implemented, is to be found in the national report. Two action plans have been put in place to combat beggary. Centres for child beggars have been set up at the governorate level. With help from civil society organizations, the centres focus on combating the phenomenon of begging through rehabilitation and employment. A team of volunteers has been set up to help report cases and provide care (including education and professional training) as a step towards improving the living standards of families that encourage their children to beg. This is one of the programmes in place to combat the worst forms of child labour.

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	Cooperation between the Government, represented by the Ministry for Social Affairs and Labour, and the International Labour Organization is to be relaunched and the two sides are currently drafting agreements on a programme to address the worst forms of child labour, including beggary.
109.79	
109.86 to 109.89	These recommendations have been implemented and examples given in the national report.
109.85	
109.100, 109.104, 109.117, 109.121 and 109.195	Within the context of its efforts to combat terrorism, and in addition the information on this subject provided in the national report, the Syrian Government reiterates its full commitment to international law, particularly as regards the protection and security of civilians and the integrity of public utilities such as hospitals and schools.
109.174 and 109.175	Information regarding places of detention and detainees, including their legal status and the charges against them, is being reported by the authorities concerned.
109.196 to 109.198	These recommendations have been implemented and details are to be found in the national report.
109.199 to 109.201	
109.202	A programme is in place for the rehabil:tation of victims of terrorism.
109.203	Syrian law, including the Anti-Terrorism Act, guarantees the principle of public hearings, the right of appeal and the right to a fair trial.
109.119	The Syrian Government has, without discrimination, facilitated numerous medical evacuations and has offered humanitarian assistance to towns and cities. At the same time, armed terrorist groups, and in particular those besieging the towns of Kafraya and Fuah, have been hindering the delivery of humanitarian aid and medical evacuations.
109.171	Medical care is given to all persons in detention facilities, without discrimination. Under Prison Regulations No. 1222, all prisons and places of detention must give detainees a medical examination and provide them with medical care during their period of detention.
109.38 to 109.40, 109.123, 109.124, 109.126 to 109.138, 109.140 to 109.145 and 109.150	The Government of the Syrian Arab Republic has cooperated closely with the United Nations and with international organizations in the humanitarian response to the needs of the Syrian people in the current situation. It has provided all possible facilities for humanitarian operations as well as the greatest part of the funding (75 per cent), and it has supplied documented information about the obstacles hindering that response. The success of the United Nations and international organizations in delivering humanitarian aid to both stable and unstable regions of the country would not have been possible without the cooperation and assistance of the Syrian Government. At this point it should be emphasized that the policies followed by the United Nations have to be consistent with the Charter of the United Nations and with international law. They also have to respect the guiding principles on humanitarian work in emergency situations as set forth in General Assembly resolution 46/182, especially respect for national sovereignty and the role of the State in overseeing the distribution of humanitarian aid within its own territory, as well as neutrality, impartiality and non-politicization. These are all principles with which a number of international organizations have failed to comply. The biggest obstacle facing the delivery of humanitarian aid remains that of armed terrorist groups. They have prevented aid

Subject	*State of implementation or acceptance*
	from reaching people in need by imposing long blockades on certain areas, refusing to allow supplies to pass, systematically looting humanitarian aid convoys, blocking roads, targeting civilian airports and attacking aid workers including medical personnel.
109.162 and 109.166	
109.177 and 109.178	
109.188	

The following recommendations have been accepted and effectively implemented, although with reservations about the politicized nature of the wording and the aggressive, accusatory and provocative language in which they were expressed. In its war against terrorism, the Government of the Syrian Arab Republic is careful to abide by all treaties and resolutions, including international anti-terrorism treaties. It also has reservations about the description of the situation in the Syrian Arab Republic as a civil war when, in fact, it is a crisis and a war against terrorism.

109.95, 109.97 to 109.99, 109.105, 109.107, 109.108, 109.110 to 109.116 and 109.118	The Syrian Government would like to underscore the fact that the enormous efforts which, with the support of its allies, it has made to combat terrorism are in fact the main reason that security and stability have been restored to many areas and to millions of Syrians. Those efforts have also helped thousands of displaced persons to return to their villages and towns and have facilitated the delivery of humanitarian aid to those in need. Within the context of its efforts to combat terrorism, the Syrian Government reiterates its full commitment to international law, particularly as regards the protection and security of civilians and the integrity of public utilities such as hospitals and schools. The Syrian Government is more concerned than anyone else to protect its own people, and any targeting of infrastructure is to be attributed to the activities of the international alliance, which is being led by the United States of America with the help of the very countries making the recommendations. As regards the situation in Aleppo, see above for the response to recommendations 109.31 and 109.32. Accusations regarding the use of chemical weapons are merely a pretext that has been used by certain countries since the beginning of the crisis to bring political pressure to bear on the Syrian Government. In fact, as part of its desire to work towards ridding the Middle East of all weapons of mass destruction, the Government of the Syrian Arab Republic has ratified the Chemical Weapons Convention and implemented its obligations thereunder.
109.96	Military operations in Aleppo have ceased.
109.102 and 109.106	
109.122	
109.125	
109.139	The Government of the Syrian Arab Republic has reservations about the word "siege".
109.173	
109.167 to 109.169	A number of amnesty decrees have been issued, details of which are to be found in the national report. Moreover, a decree was issued recently — Decree No. 11 of 2017 — extending the amnesty for armed individuals who surrender themselves and their weapons to the authorities.

Subject	*State of implementation or acceptance*

The following recommendations have been rejected, despite the fact that they have been implemented, because we reject the extremely aggressive language in which they are expressed and because they are founded on incorrect suppositions.

109.109, 109.153, 109.155 to 109.161 and 109.163 to 109.165

The following recommendations have been rejected because they concern public order within the State.

109.2 and 109.151

The following recommendations have been rejected because they concern the issue of sovereignty.

109.10 to 109.13	The Syrian Arab Republic, believing as it does in the importance of establishing a credible mechanism of international justice, signed the Rome Statute of the International Criminal Court in 2000. Unfortunately, events have shown that some countries use the Court as a mechanism to politicize international justice in pursuit of the agendas of certain States and entirely overlook the jurisdiction of national courts. The provisions of the International Convention for the Protection of All Persons from Enforced Disappearance are applied although the ratification of the Convention is not currently considered a priority, also in view of the fact that a large proportion of States parties do not agree on a number of its provisions.
109.80 and 109.81	In view of the politicization of the current situation in the Syrian Arab Republic, the Government would prefer to consider invitations to mandate holders on a case-by-case basis.
109.83	
109.170 and 109.172	These operations are carried out by the police and the judiciary of the Syrian Arab Republic.

Recommendations 109.41 to 109.62 have been rejected as they concern cooperation with the Human Rights Council's Independent International Commission of Inquiry on the Syrian Arab Republic. Nonetheless, it should be emphasized that this does not prevent the Syrian Arab Republic from cooperating with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and with special procedures mandate holders, as it always has.

The Syrian Arab Republic had expressed its readiness to cooperate with the Independent International Commission of Inquiry immediately after it was established in 2011, once the national investigative commission had completed its own inquiries and on condition that the International Commission remained neutral and objective and did not draw information from terrorist sources. Unfortunately, however, since it was established, the Independent International Commission of Inquiry on the Syrian Arab Republic has chosen to adopt a partial, selective and politicized approach to events in the country. Such an approach does nothing for human rights but does serve the agendas and policies of certain influential States on the Human Rights Council and the Security Council, which aim to undermine the sovereignty, independence and territorial integrity of the Syrian Arab Republic. For that reason, the Syrian Government has formed a negative opinion of the work of the International Commission and, due to its lack of credibility, has decided not to cooperate with it. Nonetheless, the Syrian Arab Republic did allow the president of the International Commission, Mr. Paulo Pinheiro, to make a visit for a few days. However, that has not had any discernible effect on the work of the Commission, and the latter has rejected other proposals to resolve this problem.